

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

JUAN JOSE AMESQUITA,
Petitioner
v.
ROD HICKMAN,
Responde

Case No. 1:05-cv-00055-LJO-JDP (HC)

**ORDER DENYING FRIVOLOUS MOTION
FOR RELIEF FROM JUDGMENT**

ECF No. 60

Petitioner Juan Jose Amesquita, a state prisoner without counsel, filed a petition for a writ of habeas corpus under 28 U.S.C. § 2254 in January 2005—more than fourteen years ago. ECF No. 1. Judge Oliver W. Wanger decided this case back in October 2006, but petitioner has been filing frivolous motions since that time, attempting to relitigate the merits of his case. This case is so old that several judges—including those who have retired—have denied various forms of motions for reconsideration filed by petitioner. *See* ECF Nos. 30, 43, 45, 47, 49, 53, 56. Most recently, the Ninth Circuit summarily denied a motion for reconsideration by petitioner and stated, “No further filings will be entertained in this closed case.” ECF No. 61. *Amesquita v. Hickman*, No. 18-15308, ECF No. 18 (9th Cir. Oct. 9, 2018).

Before this court is yet another motion from petitioner that purports to relitigate this case. ECF No. 60. Petitioner says he is entitled to relief from judgment under Federal Rule of Civil Procedure 60 because this court and judges within this district have committed judicial

1 misconduct. *See id.* at 11-20. Petitioner's motion is patently frivolous, and we will summarily
2 deny it. *See Fed. R. Civ. 11(b).*

3 **Order**

4 Petitioner's motion for relief from judgment, ECF No. 60, is denied.

5 IT IS SO ORDERED.

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7 Dated: July 2, 2019


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UNITED STATES MAGISTRATE JUDGE

11 No. 202